

Vincent O'Gara California Bar No. 62304

*Admitted Pro Hac Vice*

MURPHY, PEARSON, BRADLEY & FEENEY

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Attorneys for

PIERCY BOWLER TAYLOR & KERN

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

(LAS VEGAS DIVISION)

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
Debtor.

In re:

USA CAPITAL REALTY ADVISORS, LLC,  
Debtor.

In re:

USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,  
Debtor.

In re:

USA CAPITAL FIRST TRUST DEED FUND, LLC,  
Debtor.

In re:

USA SECURITIES, LLC,  
Debtor.

Affects:

- ☒ All Debtors  
☐ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case Nos.

BK-S-06-10725 LBR

BK-S-06-10726 LBR

BK-S-06-10727 LBR

BK-S-06-10728 LBR

BK-S-06-10729 LBR

JOINTLY ADMINISTERED

Chapter 11 Cases

**EX PARTE MOTION FOR LEAVE OF  
COURT TO BE DELETED FROM  
ELECTRONIC SERVICE**

**Date: EX PARTE**

**Time:**

**Place:**

**Judge: Honorable Linda B. Riegler**

COMES NOW, Vincent O'Gara of Murphy, Pearson, Bradley & Feeney and moves *Ex Parte* for an Order deleting Vincent O'Gara from the Court's electronic and paper service lists.

The basis for this motion is set forth in the attached declaration.

WHEREFORE, Vincent O'Gara of the law firm, Murphy, Pearson, Bradley & Feeney moves

1 for an Order deleting him from the Court's electronic service list

2 DATED: August 18, 2009

3 MURPHY, PEARSON, BRADLEY & FEENEY

4  
5 By /s/  
6 Vincent O'Gara  
Attorneys for  
PIERCY BOWLER TAYLOR & KERN

7  
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9  
10 **Declaration of Vincent O'Gara in support of Motion**  
11 **for an Order deleting Vincent O'Gara from the**  
12 **Court's electronic service list**

13 I, Vincent O'Gara, declare and state as follows:

- 14 1. I am an attorney admitted to practice *pro hac vice* in the above case to represent Piercy  
15 Bowler, Taylor & Kerns ("PBT&K").
- 16 2. My representation of PBT&K was as defense counsel in connection with prospective claims  
17 by the USACM Liquidating Trust and DTDF against PBT&K, the pre-petition accountants  
18 who were engaged to audit USA Commercial Mortgage.
- 19 3. As part of the representation of PBT&K, a settlement of USACM Liquidating Trust and  
20 DTDF claims was negotiated.
- 21 4. On January 13, 2009 this court approved the settlement (the "Order"). No motion to  
22 reconsider the Order has been filed and no appeal from the Order has been taken.
- 23 5. The Order is now final.
- 24 6. All sums have been paid as required by the settlement.
- 25 7. At the present time, PBT&K has no interest in this case.
- 26 8. As part of the application and approval of my admission *pro hac vice* to represent PBT&K,  
27 I complied with the Local Rules and provide my e-mail address for electronic service of all  
28 documents in the case-in-chief. Since the entry of the Order, I have continued to be served

1 with all filings in the case-in-chief.

2 9. Unless there is a controversy arising under the Settlement, I anticipate that no further legal  
3 representation of PBT&K in this case will be necessary.

4 10. At the present time, there is no reason for me to continue to be served with filings in this  
5 case.

6 I declare under penalty of perjury under the laws of the State of California that the  
7 foregoing is true and correct and that this Declaration was executed on August 18, 2009, in San  
8 Francisco, California.

9  
10 By: /s/  
11 Vincent O'Gara

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